

NOV. 18.2005

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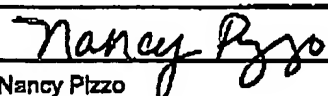
P. 2

NOV 18 2005 10/526110  
IAP10 Rec'd PCT/PTO 18 NOV 2005  
PTO/SB21 (09-04)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/526,110
	Filing Date	February 28, 2005
	First Named Inventor	SIEGEL, Jerome et al.
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	2307AA-128410US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"> <li>Declaration for Utility ... Application using an Appl. Data Sheet</li> <li>Copy of Notification of Missing Requirements under 35 U.S.C. § 371 in the U.S. Designated/Elected Office</li> </ul>
Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Nathan S. Cassell		
Date	18 November 2005	Reg. No.	42,398

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted on the date stated below to the US Patent and Trademark Office at:			
Fax No. (571) 273-8300			
Signature			
Typed or printed name	Nancy Pizzo	Date	18 November 2005

60839706 v1

NOV 18 2005  
10/526110  
PCT/PTO 18 NOV 2005  
PTO/SA17 (12-04)Effective on 12/02/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL  
for FY 2005**☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 115

**Complete If Known**

Application Number	10/526,110
Filing Date	August 27, 2003
First Named Inventor	Siegel, Jerome
Examiner Name	
Art Unit	
Attorney Docket No.	2307AA-128410US

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.18 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2035

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES Small Entity		SEARCH FEES Small Entity		EXAMINATION FEES Small Entity		Fees Paid (\$)
	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	
Utility	300	150	500	250	200	100	50
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Small Entity	
Fee (\$)	Fee (\$)	Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
20	-20 or HP = 0	x \$25	= \$0			
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
3	-3 or HP = 0	x \$100	= \$0			

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

**4. OTHER FEE(S)**


Non-English Specification, \$130 fee (no small entity discount)

Other: Surcharge for late submission of oath or declaration

Fees Paid (\$)

85

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	42,396	Telephone	650-326-2400
Name (Print/Type)	Nathan S. Cassell			Date	18 November 2005

60839718 v1

CLASSIFIED EXAMINER 00000024 201430 10526110

CL. FEE: 65.00 DA

NOV 18 2005

Atty Docket No. 2307AA-128410US

PTO FAX NO.: 571-273-8300

ATTENTION: Initial Patent Examination Division

**OFFICIAL COMMUNICATION  
FOR THE PERSONAL ATTENTION OF  
INITIAL PATENT EXAMINATION DIVISION**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following documents in re Application of Jerome Siegel et al.

Application No. 10/526,110 filed August 27, 2003

for HYPOCRETIN ADMINISTRATION AS A TREATMENT FOR OBESITY

are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Number of pages being transmitted, including this page: 9

Dated: 18 November 2005

  
Nancy Pizzo

Documents Attached

1. SB/21 - Transmittal Form
2. SB/17 - Fee Transmittal
3. SB/22 - Petition for Extension of Time (1 month)
4. Declaration of Utility ... Application Using an Appl. Data Sheet
5. Application Data Sheet
6. Copy of Notification of Missing Requirements (2 pgs)

**PLEASE CONFIRM RECEIPT OF THIS PAPER BY  
RETURN FACSIMILE AT (415) 576-0300**

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

2307AA-128410US  
NSC, PA  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address COMMISSIONER FOR PATENTS  
P.O. Box 1459  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,110	Jerome Siegel	2307AA-128410US
INTERNATIONAL APPLICATION NO.		
PCT/US03/27038		
LA. FILING DATE	PRIORITY DATE	
08/27/2003	08/29/2002	

Nathan S Cassell  
Townsend and Townsend and Crew  
Two Embarcadero Center 8th Floor  
San Francisco, CA 94111-3834

CONFIRMATION NO. 2706

371 FORMALITIES LETTER



\*0000000017006810\*

Response Due 11/14/05

Date Mailed: 09/14/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/28/2005
- Preliminary Amendments filed on 02/28/2005
- Information Disclosure Statements filed on 06/06/2005
- U.S. Basic National Fees filed on 02/28/2005
- Priority Documents filed on 02/28/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$115 for a Small Entity:

- \$65 Surcharge.

Additionally the following defects have been observed:

- The International Search Report has not been supplied, the Search Fee has been adjusted to reflect this omission.
- The application search fee is insufficient. Applicant must submit \$50 to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,110	PCT/US03/27038	2307AA-128410US

FORM PCT/DO/EQ/905 (371 Formalities Notice)